

Jury demand date:

ATTORNEYS

For defendant:
Ralph Grabel (K.D. Root, Treva
Irvine E. Ungerman (Root, & A.J. Root, J
6th Floor, Wright Bldg. & L.F. Betts Supp
Tulsa, Okla. 74103

| STATISTICAL RECORD | COSTS | | | DATE | NAME OR RECEIPT NO. | REC. | DISB. |
|--|--------------|--|--|------|------------------------|------|-------|
| J.S. 5 mailed 12-1-72 | Clerk | | | | | | |
| J.S. 6 mailed 8-1-74 | Marshal | | | | | | |
| Basis of Action: Foreclosure of Mortgage. | Docket fee | | | | | | |
| | Witness fees | | | | | | |
| Action arose at: | Depositions | | | | | | |

| DATE | PROCEEDINGS | Date Order or Judgment Noted |
|----------|---|------------------------------|
| 11-14-72 | Complaint filed and Summons issued. v | |
| 11-28-72 | Summonses, ret. & filed: served L. F. Betts Supply Company, K. D. Root a/k/a K. D. Skip Root & Treva DiAnn Root, his wife; A. J. Root, Jr., and Treva Diann Root, all at Quapah, Okla. 11-22-72; the following returned <u>unserved</u> : Carrol Volm, Don Volm, a/k/a Daniel Volm, Frank Miller, Tom Martin and Bobby Myers. (USM \$37.20) | |
| 12-8-72 | App. for an extension of time within which to plead or answer, filed by the Deft.s. v | |
| 12-8-72 | Order, filed, granting Deft.s extension of time of 15 days from 12-12-72 within which to plead or answer to complaint. (JCS-CC)v copy to U.S. Atty. | |
| 12-14-72 | Order, filed, that Deft.s be granted extension of time until 12-27-72, within which to answer complaint. (LB-J)v -copies mailed. | |
| 12-27-72 | Motion of deft. L. F. Betts Supply Co., etc. to stay all proceedings, filed. hm <i>leg</i> | |
| 12-27-72 | Memorandum of authorities in support of motion to stay all proceedings, filed. hm | |
| 12-27-72 | Motion of deft. A. J. Root, Jr., to stay all proceedings, filed. hm <i>leg</i> | |
| 12-27-72 | Memorandum of authorities in support of motion to stay all proceedings, filed. hm | |
| 12-27-72 | Motion of deft. K. D. Root to stay all proceedings, filed. hm <i>leg</i> | |
| 12-27-72 | Memorandum of authorities in support of motion to stay all proceedings, filed. hm | |
| 12-27-72 | Motion of deft. Treva Diann Root to stay all proceedings, filed. hm <i>leg</i> | |
| 12-27-72 | Memorandum of authorities in support of motion to stay all proceedings, filed. hm | |
| 1-3-73 | Order, filed, that motion to stay all proceedings of deft. K. D. Root is granted. (LB-J)hm (copies mailed) | |
| 1-3-73 | Order, filed, that motion to stay all proceedings of deft. A. J. Root, Jr., is granted. (LB-J)hm (copies mailed) | |
| 1-3-73 | Order, filed, that motion to stay all proceedings of deft. L. F. Betts Supply Company, etc., is granted. (LB-J)hm (copies mailed) | |
| 1-3-73 | Order, filed, that motion to stay all proceedings of deft. Treva Diann Root is granted. (LB-J)hm (copies mailed) | |
| 8-1-73 | Application for order to amend complaint, filed. | |
| 8-3-73 | Order, filed, that pltf. allowed to amend complaint. (LB-J)hm (copies mailed) | |
| 8-3-73 | Amendment to Complaint, summons issued. filed, jj | |
| 8-8-73 | Return on U.S. Marshals Service, Amendment to Complaint & Summons, filed. Served L.F. Bett ^s Supply Co. by serving Treva Diann Root, in Quapah, OK, on 8-7-73, with fee of \$3.00. Served K.D. Root by serving Treva Diann Root in Quapah, OK, on 8-7-73, with fees of \$3.00. -Marshals returns -continued | |

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| 8-8-73 | Continued returns of U.S. Marshals Service. Served A. J. Root, Jr., by serving Mrs. A. J. Root, Jr., in Quapah, OK, on 8-7-73, with fees of \$28.44. Unable to serve Carrol Volm. Unable to serve Don Volm, a/k/a Daniel E. Volm, or Frank Miller, or Bobby Myers, or Tom Martin. Served Treva Diann Root in Quapah, OK, on 8-7-73, with fees of \$3.00. v | |
| 8-15-73 | <u>Answer of the Deft. L.F. Betts Supply Co., filed.</u> v | |
| 8-15-73 | <u>Answer of the Deft. Kay D. Root to the Complaint as Heretofore Amended,</u> filed. v | |
| 8-15-73 | <u>Answer of the Deft. A. J. Root, Jr., to the Complaint as Heretofore Amended,</u> filed. v | |
| 8-15-73 | <u>Answer of the Deft. Treva Diann Root to the Complaint as Heretofore Amended,</u> filed. v | |
| 10-11-73 | Memorandum of Authorities in Support of Defts' Mot. to Withdraw order staying all proceedings, filed. v | |
| 10-11-73 | Motion of the Deft.s, to Withdraw order to stay all proceedings, filed. v | |
| 10-16-73 | Order, filed, that Order heretofore entered 1/3/73 staying all proceedings be withdrawn. (LB-J)rm | |
| 10-18-73 | Application for order to amend complaint filed by plaintiff. h-OtoJ- | |
| 10-29-73 | Order, filed, granting leave for USA to amend its complaint. (LB-J)hm (copies mailed) | |
| 11-1-73 | Second Amendment To Complaint, filed and Summons Issued. js | |
| 11-27-73 | Marshal's returns on service of summons & amend to complaint, filed: served L. F. Betts Supply Co., K. D. Root, A. J. Root, & Treva Diann Root, Quapaw, Ok. 11-21-73; unserved as to Carrol Volm, Don Volm aka Daniel E. Volm, Frank Miller, Bobby Myers & Tom Martin. (USM \$35.28)g | |
| 12-11-73 | Ans. of Defts' L. F. Betts Supply Co., K. D. Root, Treva Diann Root and A. J. Root, Jr. to Pltf's second Amendment to complaint, filed. a | |
| 2-19-74 | Answer and cross petition of the defendant, The State of Oklahoma ex rel Oklahoma Employment Security Commission, filed. ds | |
| 2-20-74 | Summons ret. & filed: Served Albert D. Lynn, in Oklahoma city, on 2-11-74. Served Oklahoma Employment Security Commission (Milton R. R. Elliott, Ch. Atty) in Oklahoma City, on 2-11-74. (USM \$ 6.72)s | |
| 3-8-74 | Motion for Service by Publication Pursuant to 28 USC 1655, filed. e | |
| 3-19-74 | Order for service by publication pursuant to 28 USC 1655, filed. ds | |
| 6-24-74 | Proof of publication, filed. (\$124.05 fee) rm | |
| 7-17-74 | Affidavit for entry of default by clerk, filed.k | |
| 7-17-74 | Entry of Default by Clerk, filed. Default entered. (JCS/Clk)k | |

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| DATE | PROCEEDINGS | Date Order or Judgment Noted |
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| 7-22-74 | Judgment of Foreclosure, filed and entered that Pltf. recover judgment against Defs., L. F. Betts Supply Co. a/k/a L. F. Betts Supply Co., Inc., a/k/a L. F. Betts Supply Co., Inc., K. D. Root a/k/a K. D. Skip Root & Treva DiAnn Root, <u>in rem</u> , in the sum of \$35,970.69 with accrued interest of \$648.69 through October 5, 1972 & interest accruing @8% per annum, or \$6.1199/day; that Pltf. recover judgment against Def. A. J. Root, Jr., <u>in rem</u> , in the amount of \$25,000.00 plus interest, by virtue of a Guaranty in the amount of \$25,000.00 executed by said Def. on November 14, 1968; that def. State of OK ex rel Oklahoma Employment Security Commission recover judgment against Def. L. F. Betts Supply Co. a/k/a L. F. Betts Supply Co., Inc., a/k/a L. F. Betts Supply Company, Inc., <u>in rem</u> , in the sum of \$387.22, plus interest in the amount of \$126.19 plus costs; that Pltf. recover judgment <u>in rem</u> against the defs. Tom Martin, Bobby Myers, Frank Miller, Don Volm a/k/a Daniel E. Volm, & Carrol Volm. (LB-J)k copies sent.k | |
| 7-23-74 | Bill of costs, filed. Costs taxed against L. F. Betts Supply Co. etc. in sum of \$275.69. g <i>in rem</i> | |
| 9-13-74 | Order of sale issued. b | |
| 11-5-74 | Order of sale, filed. g | |
| 11-5-74 | Oath of Appraisers, filed. g | |
| 11-5-74 | Appraisement, filed. g | |
| 12-18-74 | Return of Notice of sale filed. Property sold to SBA in amt. of \$10,000.00. b | |
| 12-20-74 | Marshal's return of sale, filed, w/proof of publ., attached. (\$79.90)rm | |
| 12-20-74 | Motion to confirm sale, filed. rm <i>062</i> | |
| 12-24-74 | Order confirming marshal's sale, filed. (LB-J)hm | |